

THIRTY-SECOND ANNUAL REPORT

OF THE

MASSACHUSETTS

BOARD OF REGISTRATION IN PHARMACY,

FOR THE

YEAR ENDING NOVEMBER 30, 1917.



BOSTON:

WRIGHT & POTTER PRINTING CO., STATE PRINTERS,
32 DERNE STREET.

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NAMES OF BOARD AND OFFICERS.

JOHN J. TOBIN, *President.*

WILLIAM S. BRIRY, *Secretary.*

W. EDGAR MARTIN.

JOHN F. HAYES.

LEON C. ELLIS.

Agent. — ARTHUR W. SCOTT.

The Commonwealth of Massachusetts.

REPORT.

TO HIS EXCELLENCY SAMUEL W. MCCALL, *Governor*.

SIR: — In compliance with section 13, chapter 76, of the Revised Laws, the Board of Registration in Pharmacy respectfully presents this its thirty-second annual report upon the condition of pharmacy in this Commonwealth, together with a summary of its official acts during the year.

At the present time there are 1,737 drug stores in the Commonwealth. There have been a few cases of consolidation and a few have gone out of business, but the decrease has been offset by the opening of new stores, so that the total is practically the same as that of last year.

As far as this Board has been able to ascertain the general condition of the trade has been prosperous, and we believe that no druggist has been obliged to close his doors because of the advanced cost prices of drugs or the war revenue taxes. From year to year the business has been gradually including a larger assortment of side lines, but the prescription room still remains the pride of the enterprising pharmacist, and he is proving the fact that he can be both a professional man and a good tradesman as well, — a distinction peculiar to the profession of pharmacy.

The drug business, however, has been affected greatly by the unsettled trade conditions brought about by the great world conflict, and particularly so since the declaration of war by our own country. The cost prices of drugs have greatly advanced, requiring the druggist to make a much larger investment for the same stock of goods, and the public has been endeavoring to economize by buying in smaller quantities. The supply of some imported drugs was almost entirely cut off when the European

powers became involved in the great struggle, and, although new sources of supply were later created or discovered to a certain extent prices fluctuated greatly, but averaged a great general advance. For example, the cost of phenacetine which is a very common remedy increased from \$2 to \$40 per pound, dropping to the present cost of about \$14. The successful pharmacist must be a competent mathematician as well as a professional man in order to regulate his prices to the varying cost and the increase in the pay roll of his clerks.

War conditions have affected the druggists very noticeably in the passing of the war revenue act. Among the sources of income provided by the act is the additional tax on alcohol. The act classifies alcohol into its use for "beverage" and "non-beverage" purposes at separate rates of taxation, and requires for the purchase of the latter the filing of a bond and a permit from the government. It also requires that this alcohol must be medicated before being sold. This necessitates time and attention, and adds to the druggists' long list of legal requirements. The price of alcohol has advanced to a very large multiple of its cost prior to the war, due not only to taxation but the discontinuance of its manufacture except for non-beverage purposes. This greatly increases the price of all pharmaceutical preparations into which alcohol enters as an ingredient, especially those into which it enters as a preservative of medicinal agents. The war revenue act also includes a tax on proprietaries of which each druggist usually manufactures at least a small line.

A copy of a letter which was addressed to the secretary of this Board from the Collector of Internal Revenue, explaining recent war revenue taxes, was mailed to each druggist of the Commonwealth that no obligation on his part should be overlooked. Although as a class they are bearing perhaps more than their proportionate share of the taxes, they are glad to share in the expense and inconvenience incidental to making, in the phrase of the President, "the world safe for democracy" for which our country is fighting.

The druggist is also affected by the war in the scarcity of help. Everywhere is heard the complaint that there is an insufficient supply of registered clerks. This scarcity was first

noticed at the time of enlistments, and will be more and more felt as the drafts follow. To relieve the condition, and also for the purpose of allowing those enlisting or drafted to obtain a higher rating in the medical corps, the Board has adopted, since the spring of the year, the plan of examining large classes at the Massachusetts College of Pharmacy, affording an opportunity for about fifty persons to be examined at each meeting. This met with approval among the students as they were all glad of an early opportunity to be examined, instead of having to wait their turn in small classes.

The Board has examined 538 persons this year. Of this number, about 34 per cent. were registered as pharmacists, and 21 per cent. as assistants. The number of applications received during the month of October and November was much smaller than that of the corresponding months of the previous year, probably due to many drug clerks being in the service.

The fees received by the Board this year and transmitted to the Commonwealth exceeded the expenses of the Board to the amount of \$2,599.42. This is more than the Commonwealth has benefited by our Board in the past and more than we expect to contribute in the future; it was principally the result of the Board members doing their own investigation work in their districts in the absence of an agent, and also from the change in the method of examining which necessitated fewer meetings.

After considerable deliberation in selecting a person from the three certified by the Civil Service Commission, Mr. Arthur W. Scott of Somerville was finally appointed agent, commencing his duties in November. His experience as manager of one of Boston's busy stores, combined with the theoretical knowledge gained at the Massachusetts College of Pharmacy from which he holds the degree of Ph.C., should give him the practical and professional requisites for the work which will bring satisfactory results in the coming year.

The Board has held 123 hearings since our last report. These hearings were relative to the suspension of personal certificates of registration, the suspension of permits to operate drug stores, the suspension of certificates pertaining to the sale of intoxicating liquor, and hearings in relation to various kinds of applications over which the Board has supervision.

Of the above number, 33 hearings were to give persons convicted in the courts of the Commonwealth an opportunity to show cause why their certificates of registration should not be suspended. Twenty-one of these were placed on file and 6 suspended. The suspensions were one for five years, one for one year, one for five months, two for thirty days, and one for seven days. In placing on file, the right is reserved to take the matter from the files at any future time should there be any evidence of further violation, and the certificate suspended on the basis of the original complaint. The Board has seen fit during the past year to place 6 persons on probation, no action being taken at the time as to their certificates of registration, with the understanding that their conduct during that time would determine the Board's attitude towards them at the expiration of the term of probation. In all cases the druggists conducted themselves in strict conformity with the law, and the Board therefore did not administer any punishment.

Since the enactment in 1913 of the law providing for the issuing of permits for the operation of drug stores, the Board has felt that it has been able to exercise a better control over the drug business than formerly, resulting in better conditions. Under the discretion conferred upon the Board by this act permits may be granted, refused, suspended or revoked, and in relation to this work, 38 hearings were held during the past year. Two locations, after repeated refusals, were discontinued as drug stores and kept open merely for the purpose of selling patent medicines and toilet articles, one was closed entirely, and two, after being operated for several months for the sale of those things which unregistered persons may sell, were purchased outright by registered persons, the Board being satisfied as to the transfer. Ten permits were withheld for various periods, or refused and later granted after conditions were made to conform to the law. In most of these cases the wrong condition which had to be corrected was that arrangements had been made for unregistered persons to be actively engaged in the business.

Eight hundred and four certificates of recommendation for sixth-class licenses for the sale of intoxicating liquors upon the signature of the purchaser, and 600 certificates of fitness for

the sale of intoxicating liquor on prescription were granted for the present license year. The number of certificates of fitness granted exceeds that of any previous year for the reason that several large cities in the Commonwealth changed from the license to the no-license column, and local authorities in those cities refused to grant any sixth-class licenses. The druggists then applied for certificates of fitness which are granted by this Board only. The most important changes were Fall River, Taunton, Haverhill and Fitchburg.

Two sixth-class license certificates were suspended by this Board which automatically suspended the licenses granted thereon by the local boards. Eleven certificates of fitness were suspended. Local boards have suspended several sixth-class licenses this year, but we have not learned of any certificates of fitness being suspended by them, although it is in their power to do so.

Chapter 275 of the General Acts of the Massachusetts Legislature in 1917 has been the source of much inquiry on the part of the druggists. The narcotic prescription itself under this law bears such a complete record of the case that all liability for a narcotic to be mistakenly sold for other than the uses intended by the spirit of the law is eliminated. The precaution is also taken against its misuse by prohibiting the filling of the prescription more than five days after its date. The hypodermic syringe and needle can no longer be sold to the general public, which is another safeguard to the danger. The most effective section of the law, however, provides that the physician cannot write a prescription for a narcotic intended for the use of an habitual user of the drug, although he may personally administer the drug at his discretion in good faith. The physician, in other words, can no longer write a prescription for a narcotic to "reduce the habit," showing that it was the opinion of the Massachusetts Legislature that the cure of an habitu   could not be brought about by giving him prescriptions for the drug in any quantity, and in this instance our Commonwealth has taken a more drastic measure than other States and we believe a much better one. With but few exceptions the druggist and physician have gladly co-operated in complying with the strict letter of the law to make it a success and thus overcome a

threatening evil. To assist in the efficacy of this law the Board recently mailed the trade a circular enumerating the requirements pertaining to a narcotic prescription.

A problem confronted the druggists upon the passage of the act authorizing local authorities in no-license cities and towns to refuse all express company licenses for the carrying of intoxicating liquors. Acting on this law a number of local boards refused all such licenses, and druggists holding certificates of fitness for the sale of intoxicating liquors on prescription were at a loss to know how they could be obtained. The situation was relieved by a decision of the Attorney-General to the Public Service Commission to the effect that the railroads had the right to bring intoxicating liquors to the city or town of the consignee, and that such consignee had the right to transfer the goods personally from the railroad station to his store. As far as we have been able to learn the railroads have been guided by this opinion.

By courtesy of Governor McCall, the president of our Board, Mr. Tobin, was permitted to serve as delegate to the National Association of Boards of Pharmacy held at Indianapolis, August 27 and 28. This was the fourteenth annual convention of that body. During the past year four new States have been added, so that the present membership on an active reciprocity basis consists of forty States as follows: Alabama, Arkansas, Arizona, Connecticut, Colorado, Delaware, District of Columbia, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Mexico, North Dakota, Oklahoma, Oregon, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, West Virginia and Wisconsin.

This association was organized for the purpose of uniting the various boards of the United States with a view of establishing uniform examinations and reciprocity in the matter of registration. This Board feels that the privilege of reciprocity has broken down the barriers of limitation for the pharmacist. For example, a young man passes an examination in his home State after completing a course of study and four years practical experience. Upon becoming registered he drops his books and

devotes his whole time to the practice of the profession. In later years circumstances force him to reside in some other State. Although a competent druggist, it would be difficult for him to pass another examination without further study, but the reciprocity clause accommodates him with a certificate to continue his profession as a registered pharmacist in the new State. However, this privilege granted by the various States necessitates their keeping in very close touch through correspondence throughout the year, as well as by regular attendance at the annual meetings. We would therefore recommend the continuance of our representation in this organization.

The National Association is the parent of the New England Association of Boards of Pharmacy, composed of the New England State boards on an active reciprocal basis, excepting Rhode Island which is an associate member. This association meets annually with informal visits among the members during the year, thus keeping even more closely together in the standard of examinations and rulings than with other boards, as the majority of reciprocal exchanges of each of these States is among the New England group.

No special legislation in pharmacy for the coming year is deemed necessary by this Board.

Respectfully submitted,

JOHN J. TOBIN, *President.*

WILLIAM S. BRIRY, *Secretary.*

W. EDGAR MARTIN.

JOHN F. HAYES.

LEON C. ELLIS.

By process of law the term of W. Edgar Martin of Holyoke expires November 30. Notwithstanding the long distance to be traveled in attending the meetings of the Board, Mr. Martin has been most regular in his attendance and has always taken great interest in the work. During the years 1915 and 1916 he served as president. The co-operation of the members in their official duties forms a tie which is hard to break, and it is with regret that we now must part with the pleasant association of a highly esteemed member.

JOHN J. TOBIN, *President.*

WILLIAM S. BRIRY, *Secretary.*

JOHN F. HAYES.

LEON C. ELLIS.

SECRETARY'S REPORT.

Meetings for examinations have been held on dates and with results as follows:—

EXAMINATIONS.

1916-17.	Number of Days.	Number examined.	Number registered as Pharmacists.	Number registered as Assistants.	Number of Assistants failing to become Pharmacists.	Number found not Qualified to receive any Certificate.
December 11,	1	12	3	2	6	1
December 12,	1	15	2	3	5	5
December 18,	1	15	5	3	5	2
January 2,	1	15	4	3	4	4
January 9,	1	12	4	2	4	2
January 16,	1	12	5	2	2	3
January 23,	1	15	3	2	7	3
February 6,	1	15	3	1	7	4
February 13,	1	14	4	4	3	3
February 20,	1	15	6	3	2	4
March 6,	1	15	4	4	4	3
March 13,	1	16	5	4	5	2
March 20,	1	15	6	2	6	1
April 3,	1	13	1	1	5	6
April 10,	1	15	6	2	2	5
April 17,	1	12	3	3	3	3
May 8,	1	16	8	2	3	3
May 15,	1	14	8	3	0	3
May 21 to 22,	2	106	46	26	20	14
June 12,	1	36	11	8	10	7
June 13,	1	43	16	8	10	9
October 2,	1	44	19	15	7	3
October 9,	1	53	15	11	18	9
Totals,	24	538	187	114	138	99

FINANCIAL STATEMENT.

Appropriations.

Salaries of members of the Board,	\$3,800 00
Traveling and other expenses of the members,	1,725 00
Salary and expenses of the agent,	2,400 00
Stenographer, clerical assistance and incidental office expenses,	3,250 00
	\$11,175 00

Expenditures.

Salaries of members of the Board,	\$3,777 42
Traveling and other expenses of the members,	893 99
Salary and expenses of the agent (November 20 to November 30, inclusive),	57 43
Stenographer, clerical assistance and incidental office expenses,	3,026 99
	\$7,755 83

Receipts.

170 fees for first examination at \$5,	\$850 00
330 fees for re-examination at \$3,	990 00
11 fees for reciprocal registration at \$10,	110 00
9 fees for duplicate certificates at \$1,	9 00
37 fees for clerical services relating to reciprocity,	37 00
1,386 fees for liquor certificates at \$5,	6,930 00
1,590 ¹ fees for permits to operate drug stores at \$1,	1,590 00
Interest credited on fees deposited in national bank,	10 25
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Total amount of receipts,	\$10,526 25
Deducting fees returned because of applications being cancelled, withdrawn or refused,	171 00
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Amount paid into the treasury of the Commonwealth,	\$10,355 25

Surplus paid into the Treasury.

Amount paid into the treasury of the Commonwealth,	\$10,355 25
Expenditures from appropriations,	7,755 83
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Amount paid the Commonwealth in excess of the Board's expense to the Commonwealth,	\$2,599 42

Of the 187 persons who passed the examinations and were granted certificates of registration in pharmacy:—

41 passed on first examination.	6 passed on sixth examination.
34 passed on second examination.	5 passed on seventh examination.
37 passed on third examination.	2 passed on eighth examination.
41 passed on fourth examination.	1 passed on ninth examination.
19 passed on fifth examination.	1 passed on twelfth examination.

Certificates of registration have been granted by reciprocity as follows:—

- 1 registered from Florida.
- 5 registered from Maine.
- 3 registered from New Hampshire.
- 2 registered from Vermont.
- 1 registered from Wisconsin.

¹ Many fees for 1917 permits were received prior to the fiscal year.

Liquor certificates have been granted as follows: —

- 18 were granted sixth-class license certificates for the balance of the license year ending May 1, 1917 (from Dec. 1, 1916).
- 27 were granted certificates of fitness for the balance of the license year ending May 1, 1917 (from Dec. 1, 1916).
- 804 were granted sixth-class license certificates for the license year ending May 1, 1918 (record closing with this report).
- 600 were granted certificates of fitness for the license year ending May 1, 1918 (record closing with this report).
- 9 were refused or withdrawn.
- 3 pending at the time of closing this report, other than applications for the coming license year.

OBITUARY.

Albert J. Atkinson, Newburyport.	Charles W. Kinder, Newton.
John A. Blake, Ipswich.	Charles O. Lee, Manchester.
Arthur W. Bowker, Brookline.	Edward T. McEvoy, Lowell.
E. Avery Brewer, Worcester.	E. Clifford Nash, Abington.
Ichabod Carver, Plymouth.	Edward F. Partridge, Vineyard Haven.
Lydia M. Cherry, Boston.	Frederick L. Pratt, Canton.
William E. Conway, Boston.	Frederick H. Rowell, Lynn.
Braz C. F. DeSouza, Fall River.	Nathaniel J. Rust, Boston.
Patrick H. Dineen, Pittsfield.	Frank H. Shurtleff, West Roxbury.
Linus D. Drury, Boston.	Frank A. Smith, Braintree.
Boris J. Elkind, Worcester.	John F. Sullivan, Fall River.
Louis H. D. Fraser, New Marlborough.	Alonzo G. Trafton, Boston.
J. Maro Harrison, Lynn.	Frank A. Woodbury, Boston.
Grace Frost Kerr, Chelsea.	

SUMMARY.

Meetings: —	
For examinations,	24
For hearings,	22
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Total number of meetings,	46
 Hearings: —	
In relation to charges affecting personal registration,	33
In relation to the granting or suspension of liquor certificates,	24
In relation to the granting or suspension of drug store permits,	38
In relation to reciprocity, duplicate certificates and miscellany,	29
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Total number of hearings,	123

Results of hearings, etc.: —

Number of certificates of registration suspended for five years,	1
Number of certificates of registration suspended for one year,	1
Number of certificates of registration suspended for five months,	1
Number of certificates of registration suspended for thirty days,	2
Number of certificates of registration suspended for seven days,	1
Number of cases placed on file,	21
Number of persons given probation,	6
Number of sixth-class license certificates suspended,	2
Number of certificates of fitness suspended,	11
Number of intended drug stores which, being refused permits, were continued merely for the sale of patent medicines, etc.,	2
Number of stores closed entirely for the sale of medicines, after refusal of drug store permits,	1
Number of stores not permitted to open as drug stores until a complete transfer of ownership,	2
Permits withheld for various periods, or refused and later granted,	10

Respectfully submitted,

WILLIAM S. BRIRY,
Secretary.